

Application No. 10/750,074

Amendment After Notice of Allowance, 37 CFR 1.312

Amendments to the Drawings:

The attached formal sheets of drawings include FIGS. 1 and 2. These sheets replace the informal sheets of drawings that include FIGS. 1 and 2 that were filed November 14, 2005. The replacement sheets of drawings are formal versions of the sheets that they replace. No substantive changes have been made. No new matter has been added.

Attachment: Replacement Sheets

REMARKS

Applicants submit amendments of formal matters in the specification and the drawings that do not change the scope thereof and therefore should be correctable by the Examiner as an Examiner's amendment. Specifically, applicants changed the word "figures" (plural) to the word "figure" (singular) in the specification to correspond to the fact that only one figure is being discussed. Applicants also formalized previously submitted drawings. In the alternative, applicants would like these amendments considered as an amendment under 37 CFR 1.312.

It is applicants' understanding that after the Notice of Allowance has been mailed, the application is technically no longer under the jurisdiction of the primary Examiner. The Examiner, however, may make Examiner's amendments (see MPEP § 1302.04) and has authority to enter amendments submitted after Notice of Allowance of an application which embody merely the correction of formal matters in the specification or drawing, *or formal matters in a claim without changing the scope thereof*, or the cancellation of claims from the application, without forwarding to the supervisory patent Examiner for approval. Applicants believe that the amendments submitted herewith fall within the category of "formal matters in a claim without changing the scope thereof" and therefore should be correctable by the Examiner as an Examiner's Amendment.

Applicants understand that no amendment may be made as a matter of right in an application after the mailing of the notice of allowance. However, if this amendment cannot be corrected by the primary Examiner, applicants would like this amendment considered an amendment filed pursuant to 37 CFR 1.312 as it is being filed concurrently with the payment of the issue fee. It is applicants' understanding that such an amendment may be entered without withdrawing the application from issue on the recommendation of the primary Examiner subject to approval by the Director.

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Reconsideration of the claims is respectfully requested in view of the above amendments and remarks, and early notice of allowance thereof is earnestly solicited.

Please charge Deposit Account No. 50-2115 for any additional fees which may be required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karen Oster", written over a horizontal line.

Karen Dana Oster
Reg. No. 37,621
Of Attorneys of Record
Tel: (503) 810-2560

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APPENDIX
REPLACEMENT SHEETS